

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JOSE ROSA, EDUARDO ROMERO  
BARRON, and DONIQUA ESSAMOND  
PHINAZEE, on behalf of themselves and  
all others similarly situated,

Plaintiffs,

**MEMORANDUM AND ORDER**  
Case No. 18-CV-6915-FB-PK

-against-

LA OFICINA OF QUEENS, INC.,  
HEAVENS ENTERTAINMENT, INC.,  
ANGELS OF THE WORLD, INC.,  
GEORGE STOUPAS, and GUS “DOE,”

Defendants.

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**BLOCK, Senior District Judge:**

Magistrate Judge Kuo has issued a report and recommendation (“R&R”) recommending that a default judgment be entered in favor of Eduardo Romero Barron and against La Oficina of Queens, Inc., Heavens Entertainment, Inc., Angels of the World, Inc., and George Stoupas in the amount of \$416,286.30 plus prejudgment interest. The R&R gave the parties 14 days to file objections and warned that “[f]ailure to file objections within the specified time waives the right to appeal.” R&R at 28. It was served on March 17, 2023, making objections due on March 31, 2023. No objections have been filed.

Where clear notice has been given of the consequences of failure to object, and

there are no objections, the Court may adopt the R&R without de novo review. *See Thomas v. Arn*, 474 U.S. 140, 149-50 (1985); *Mario v. P & C Food Mkts., Inc.*, 313 F.3d 758, 766 (2d Cir. 2002) (“Where parties receive clear notice of the consequences, failure timely to object to a magistrate’s report and recommendation operates as a waiver of further judicial review of the magistrate’s decision.”). The Court will, however, excuse the failure to object and conduct de novo review if it appears that the magistrate judge may have committed plain error. *See Spence v. Superintendent, Great Meadow Corr. Facility*, 219 F.3d 162, 174 (2d Cir. 2000).

No error, plain or otherwise, appears on the face of the R&R, so the Court adopts it without de novo review. Accordingly, the Clerk shall enter judgment in favor of Barron and against the aforementioned defendants, jointly and severally, in the amount of \$416,286.30, plus prejudgment interest of \$139,148.24 through March 31, 2023, plus prejudgment interest of \$50.71 per day from April 1, 2023, to the date judgment is entered. The judgment shall provide for post-judgment interest at the statutory rate and shall automatically increase by 15% if not paid in full within the time prescribed by New York Labor Law § 198(4).

**SO ORDERED.**

/S/ Frederic Block  
FREDERIC BLOCK  
Senior United States District Judge

Brooklyn, New York  
March 31, 2023